



**DEPARTMENT OF COMMUNITY PLANNING AND BUILDING
INTEROFFICE MEMORANDUM**

TO: Board of County Commissioners
VIA: Terry L. Shannon, County Administrator *TLs*
VIA: Thomas Barnett, Director *TB*
FROM: Joseph Hawxhurst, Division Chief, Inspections and Permits *804*
DATE: May 29, 2015
SUBJECT: Electrical Code Adoption

Background:

The National Electrical Code (NEC), or NFPA 70, is an adoptable standard for the safe installation of electrical wiring and equipment. It is part of the National Fire Codes series published by the National Fire Protection Association (NFPA). The National Electrical Code is typically adopted by states and municipalities in an effort to standardize the enforcement of safe electrical practices. In some cases, the NEC is amended or altered by local governing bodies.

Pursuant to the Maryland Annotated Code, General Provisions Article, Section 13-910, the County Commissioners of Calvert County, Maryland may adopt and amend the Electrical Code for Calvert County.

Discussion:

Implementation of an effective electrical code promotes the health, safety, and welfare of the citizens of Calvert County. The Board of Electrical Examiners and Supervisors for Calvert County have written Rules and Regulations that modify the provisions of the National Electrical Code to address conditions peculiar to Calvert County.

Conclusion/Recommendation:

To adopt the National Electrical Code as amended it is recommended that you hold the required public hearing during your Tuesday, June 9, 2015 meeting and, as mandated by the Maryland Annotated Code, you leave the record open for the required 10-day period. Action, via resolution, to adopt the National Electrical Code is scheduled for Tuesday, June 23rd.

Fiscal Impact:

N/A

Attachments: Public Notice
Ordinance to Adopt the Calvert County Electrical Code

**LEGAL NOTICE
PUBLIC HEARING
CALVERT COUNTY BOARD OF COUNTY
COMMISSIONERS
RE: ADOPTION OF THE 2011 NATIONAL ELECTRICAL
CODE (NEC)**

The Calvert County Board of County Commissioners will hold a Public Hearing on Tuesday, June 9, 2015 at 10:30 a.m. in the Commissioners Hearing Room, 175 Main Street, Prince Frederick, MD, to consider adoption of the 2011 National Electrical Code with Amendments.

Pursuant to the Maryland Annotated Code, Local Government Article, Section 13-910, the County Commissioners of Calvert County, may adopt and amend the Electrical Code for Calvert County. Implementation of an effective electrical code promotes the health, safety, and welfare of the citizens of Calvert County and the provision of minimum standards for the protection of consumers and electricians provides a benefit to all citizens of Calvert County. Providing for specific exceptions to the National Electrical Code (2011 Edition) allows Calvert County to customize certain provisions of the national standards to its own specific needs to address circumstances peculiar to the County. The Calvert County Board of Electrical Examiners, after thorough review and discussion, recommends that the Board of County Commissioners of Calvert County adopt the National Electrical Code (2011 Edition) in its entirety along with certain local amendment too numerous to specify in this advertisement.

Interested persons are urged to view the local amendments in their entirety by either contacting the Department of Community Planning & Building, Inspections and Permits Division at (410) 535-1600 ext. 2523 hawxhujw@co.cal.md.us, or by viewing the local amendments on the Community Planning & Building website at: <http://www.co.cal.md.us/calendar.aspx?eid=5600>. The proposed special provisions may be substantively modified, revised, amended or otherwise changed based upon comments received at the public hearing.

The Board of County Commissioners does not discriminate on the basis of age, sex (including pregnancy) (except where age or sex are essential bona fide occupational requirements), sexual orientation, marital status, ancestry or national origin, religion, race, color, genetic information, actual or perceived disability, or gender-related identity or expression. Any reasonable accommodation for persons with disabilities or linguistic barriers should be requested by contacting the Board of County Commissioners office at (410) 535-1600 ext 2202. or TTY: 1-800-735-2258.

CCR 1950203

5-22,5-29-15

ORDINANCE

FOR THE PURPOSE OF ADOPTING THE NATIONAL ELECTRICAL CODE (2011 EDITION), ALONG WITH LOCAL AMENDING PROVISIONS AS THE CALVERT COUNTY ELECTRICAL CODE.

RECITALS

WHEREAS, pursuant to the Maryland Annotated Code, *General Provisions Article*, Section 13-910, the County Commissioners of Calvert County, Maryland (hereinafter, the "County Commissioners") may adopt and amend the Electrical Code for Calvert County;

WHEREAS, the County Commissioners desire to adopt the Electrical Code of Calvert County;

WHEREAS, implementation of an effective electrical code promotes the health, safety, and welfare of the citizens of Calvert County;

WHEREAS, the provision of minimum standards for the protection of consumers and electricians provides a benefit to all citizens of Calvert County;

WHEREAS, the National Electrical Code (2011 Edition) provides greater universality of standards with neighboring jurisdictions and adopts methods that have been proven effective on a nationwide basis;

WHEREAS, providing for specific exceptions to the National Electrical Code (2011 Edition) allows Calvert County to customize certain provisions of the national standards to its own specific needs to address circumstances peculiar to the County;

WHEREAS, the Calvert County Board of Electrical Examiners, after thorough review and discussion, recommends that the Board of County Commissioners of Calvert County adopt the National Electrical Code (2011 Edition) in its entirety along with certain local special provisions;

WHEREAS, a public hearing was duly advertised in a newspaper of general circulation in Calvert County for two consecutive weeks before the public hearing held on June 9, 2015, at which time the Board of County Commissioners received public comment; and

WHEREAS, upon due consideration of the comments of the public and staff and in furtherance of the public health, safety and welfare, the Board of County Commissioners finds that it is in the best interest of the public health, safety and welfare of the citizens of Calvert County, Maryland to adopt the National Electrical Code (2011 Edition), including all annexes, as adopted by the National Fire Protection Association, as amended by certain local provisions set forth below.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Calvert County, that the National Electrical Code (2011 Edition), including all annexes, as adopted by the National Fire Protection Association, as amended by certain local provisions set forth below,

is hereby adopted as the Calvert County Electrical Code, and it is incorporated by reference hereto with the same force and effect as though set out in full herein.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, that the following local amendments to the National Electrical Code (2011 Edition) are hereby adopted:

1. The second sentence of Section 90-4 of the National Electrical Code (2011 Edition) is deleted and the following is substituted in place thereof: "Except as otherwise provided herein, the authority having jurisdiction of enforcement of this code and the rules and regulations promulgated there under shall be the Board of Electrical Examiners and supervisors for Calvert County (hereinafter, the "Electrical Board"). Said Electrical Board shall have the responsibility for making interpretations of the code and rules, for deciding upon the approval of equipment and materials, and for granting the special permission contemplated in the code and rules and regulations."
2. The inspection authority shall have the authority to interpret the code in field situations. Any disputed interpretations of the code or its rules and regulations may be appealed to the Electrical Board in writing and the Electrical Board shall hold a special meeting within four (4) working days of the receipt of the appeal.
3. No person shall perform or start any electrical work covered by the code unless all licenses, permits and inspection requirements have been complied with.
4. It shall be unlawful for any person to install, alter, maintain, service or repair electrical equipment in or on any building, structure or part thereof or any premises, which does not conform to the code and rules and regulations promulgated there under.
5. Master electricians shall be responsible only for work done by them or their agents or employees.
6. No repairs or additions to existing installations shall be made unless the service is adequate to safely carry the existing and additional load. Additions to all types of electrical work regardless of occupancy are to be inspected by process of an application being submitted to the inspection authority for this County.
7. No electrical work shall be done without first obtaining a permit from the inspection authority unless specifically exempted from permit requirements elsewhere in this code.
 - a. All electrical work as outlined in the preceding paragraph which requires a permit must be reported by application to the inspection authority at least twenty-four hours prior to commencing work.
 - b. All permit applications must be signed by the Master Electrician obtaining the permit.
 - c. All permit applications must include a description of work and include equipment and device counts.

- d. All permit applications for other than single family dwelling installations shall include electrical plans that include the following:
 - i. Plans shall include the physical address of the work location, the total square footage, an electrical power plan, an electrical lighting plan, light fixture schedule, electrical one-line riser diagram, panel schedule and rating with demand loads and total service demand load.
 - ii. Submitted plans shall be legible and a minimum of 8½" x 10".
 - iii. Submitted plans shall be stamped and signed by a Professional Engineer registered with the State of Maryland, except as may be waived at the discretion of the Board.
 - e. Review and approval of submitted plans and permit application shall not relieve the applicant of the responsibility of compliance with this Code.
8. Permit Fees: Permit fees shall be paid in accordance with the schedule of fees as established by the Calvert County Board of County Commissioners. The inspection authority shall have the right to waive fees subject to approval of the Board of County Commissioners.
9. Additional Permit Fees: Additional permit fees shall be required on all one-time inspection jobs that require additional inspections. Also, additional fees will be required if more than one inspection is required on any violation notice and for special inspections required for the investigation of any violations. Additional fees shall be required in accordance with the schedule of fees for any and all work performed that was not reported on the original application.
10. No licensee shall commence work on another licensee's work unless the original licensee has withdrawn or has been removed from such work. A letter of explanation from the homeowner/contractor and/or the licensee shall be sent to the Board explaining the circumstances of the case.
11. Under normal circumstances there can be only one (1) electrical permit for electrical work on a given jobsite except for the wiring of different systems (i.e. security, sound, elevators, etc.) which require separate permits.
12. Any permit issued shall become invalid if the authorized work is not started within twenty-four (24) months from the date of issuance of the permit or if the authorized work is suspended or abandoned for a period of twelve (12) months. The Electrical Board shall have the authority to cancel, suspend or revoke any permit, after a hearing by the Electrical Board, at which time the licensee shall be afforded the opportunity to be present.
13. Whenever there is an emergency disconnect and the master electrician is unable to contact the inspection authority, a master electrician shall have the authority to notify the local power company when there is a breakdown of service and to make emergency

repairs for the reconnection of service. The master electrician shall secure a permit on the next working day.

14. It shall be unlawful for any owner, agent or tenant of any building, lot or premises or any other persons to knowingly employ any person to do electrical work unless such person so employed has in his possession the necessary license that is required by the Electrical Board.
15. When any electrical wiring or equipment is found upon inspection by the inspection authority to violate the code, the person responsible for the electrical wiring and equipment shall be notified in writing and shall make any changes or repairs necessary to comply with this code. If any person fails to comply with a notice issued by the inspection authority to correct a violation of the code within thirty (30) days or any other period that may be specified, after receipt of such notice, the inspection authority may notify the power company supplying the electricity of such violations. In such cases, the notice to the power company shall state the reason for the service being disconnected and copies of the notice shall be sent to the owner or occupant of the premises and the party responsible for the violation, if such party be known. If the owner is unknown, notice may be sent to owner as shown on the records of the Department of Assessments and Taxation at such address as is shown in the records of the Assessment Department. If a licensed electrician fails to make corrections of a violation within the time specified in the notice, they shall be refused any further permits to do electrical work within Calvert County until such corrections are made. If such party is not a licensed electrician, that party shall be prosecuted as well as being subject to other sanctions as deemed proper by the Electrical Board.
16. The inspection authority shall have the authority to stop any job being performed that has no electrical permit. Also, the authority shall stop any person from performing electrical work who does not have in their possession an electrical license issued by the Board of Electrical Examiners and Supervisors for Calvert County, Maryland.
17. In the event that a holder of a master class license employed by a Company, Firm, Partnership or Corporation or any other entity severs their connection with such Company, Firm, Partnership, Corporation or entity, it shall be the duty of both the licensee and the entity in question to notify the Board and inspection authority within thirty (30) days.
18. A Master electrician shall have at least one (1) Journeyman licensed in Calvert County on the job at all times if he (the master) cannot be present.
19. The Master Electrician will be required to meet the electrical inspector on the job site for any re-inspection of swimming pool electrical installation including all bonding required for steel, deck, fence, ladder, etc.
20. Bond wires for swimming pools in Calvert County shall be a continuous unbroken line between all metal parts.

21. Metal wire mesh located within 5' of swimming pools shall be bonded to each other by a split-bolt type connector. The split-bolt type connector shall be listed for use for swimming pools and shall be made of stainless steel, brass or copper.
22. Split bus panels will not be acceptable for use as service equipment in Calvert County.
23. The smallest sized electrical service to be installed for any dwelling is to be one hundred amperes.
24. Electric services for residential dwellings having an electric furnace or furnaces of 20 kw or larger shall have at least a 300-amp service.
25. The Electrical Board approved the use of two (2) 8-ft. ground rods on all electrical services except for temporary pole services. Grounding is to be connected together either at the panels or the grounds rods. This is in addition to and does not relieve the requirements of Article 250.50.
26. All modular homes entering Calvert County shall have a Maryland State approved electrical certificate and seal.
27. No aluminum conductors smaller than No. six (6) A.W.G. shall be installed in any installation in Calvert County. This includes copper clad aluminum conductors.
28. No electric wiring or equipment shall be installed in a structure until the structure is weather tight (all windows and doors, skylights, roof shingles and subsiding). Leniency should be given only to door openings 48" or smaller and garage doors. Final decision should be made by the inspector in the field.
29. The use of armored cable shall be restricted to dry installations or normally dry areas only.
30. Any area of a dwelling that meets the criteria of a habitable room, according to the Calvert County Building Code, is to be wired accordingly.
31. No underground installations shall be covered until the inspection authority has inspected and approved same.
32. All hot water heaters in Calvert County shall have a disconnecting means within sight and shall be within 50 feet of the hot water heater.
33. Lights installed in crawl spaces shall not be GFCI protected.
34. All receptacles shall be a minimum of 30" horizontally from the tub or shower space.
35. Microwaves shall be connected to a 20 amp dedicated circuit. This circuit shall serve no other outlets.
36. (Luminaries Lighting fixtures, Lamp holders and Lamps – Installation) All recessed fixtures installed in ceilings with insulation shall be Types IC rated or the equivalent.
37. Fire-stats (high temperature cut off switch) shall be installed for attic fans

38. Smoke detectors and Carbon monoxide detectors shall be located at least 3 feet away from HVAC supply and return vents.
39. In other than dwelling units, equipment operating at 200 volts phase to phase or greater installed on platforms, balconies, or mezzanine floors or in attic or roof rooms or spaces shall be readily accessible.
40. Article 555.1 (Marinas and Boatyards) delete the second paragraph and add – this article shall apply to residential piers also.
41. Article 555.17(b) (Disconnecting Means for Shore Power Connections – Location) the location of the disconnecting means shall be within site of the shore power outlet for residential piers only.
42. Article 708 shall only apply to a project or part of a project funded in whole or in part by the County Commissioners where the County Commissioners expressly state that Article 708 shall apply.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that, where there shall be any conflict between the Calvert County Electrical Code and any other federal, state or county laws, rules, regulations, or ordinances, the more strict law, rule, regulation or ordinance shall be applicable, except as may pertain to the applicability of Article 708 of the National Electrical Code (2011) edition to projects, or parts of projects, funded in whole or part by the County Commissioners.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that, where there shall be any conflict between the NEC and the locally adopted provisions, the locally adopted provisions shall apply.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, In the event any portion of this Ordinance is found to be unconstitutional, illegal, null or void, by a court of competent jurisdiction, it is the intent of the Board of County Commissioners of Calvert County to serve only the invalid portion or provision, and that the remainder of the Ordinance shall be enforceable and valid, unless deletion of the invalid portion would defeat the clear purpose of the ordinance, or unless deletion of the invalid portion would produce a result inconsistent with the purpose and intent of the Board of County Commissioners of Calvert County in enacting this Ordinance.

BE IT FURTHER RESOLVED AND ORDAINED, by the Board of County Commissioners of Calvert County, Maryland that the foregoing recitals are adopted as if fully rewritten herein.

BE IT FURTHER RESOLVED AND ORDAINED, by the Board of County Commissioners of Calvert County, Maryland that this Resolution shall be effective upon recordation and publication of a fair summary.

DONE, this _____ day of _____, 2015, by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.

Aye: _____

Nay: _____

Absent/Abstain: _____

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
OF CALVERT COUNTY, MARYLAND**

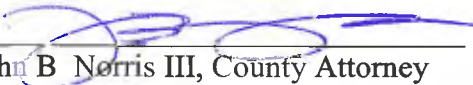
Maureen Frederick, Clerk

Steven R. Weems, President

Evan K. Slaughenhaupt Jr., Vice President

Approved for form and legal sufficiency
by:

Mike Hart



John B. Norris III, County Attorney

Tom Hejl

Pat Nutter